

Leopold & BuzzFeed v. DOJ et al., 2:17-cv-3747 (C.D. Cal.)

**FBI SUPPLEMENTAL VAUGHN INDEX, PART 1:
PAGE/INFORMATION WOULD BE WITHHELD ON BASIS OF OTHER CITED EXEMPTION(S),
REGARDLESS OF APPLICATION OF EXEMPTION (b)(5)**

BATES #	DESCRIPTION	RIP OR WIF ¹	OTHER EXEMPTIONS
1141	Attachment to Bates pages 1139-1140 – draft Talking Points (“TPs”)	WIF	(b)(1), (b)(3)/National Security Act of 1947, (b)(7)(E) ²
1144	Attachment to Bates pages 1142-1143 – draft TPs		
1146	Attachment to Bates page 1145 – draft TPs		
1148	Attachment to Bates page 1147 – draft TPs		
1150	Attachment to Bates page 1149 – draft TPs		
1152	Attachment to Bates page 1152 – draft TPs		
1155	Attachment to Bates pages 1153-1154 – draft TPs		
1158	Attachment to Bates pages 1156-1157 – draft TPs		
1161	Attachment to Bates pages 1159-1160 – draft TPs		
1165	Attachment to Bates pages 1162-1164 – draft TPs		
1168	Attachment to Bates pages 1166-1167 – draft TPs		
1170	Attachment to Bates page 1169 – draft TPs		
1171	Attachment to Bates page 1169 – draft TPs		
1174	E-mail among FBI employees/executives regarding the background investigation triggered by President Trump’s nomination of Christopher Wray to be FBI Director.	RIP	(b)(6), (b)(7)(C), (b)(7)(E)

¹ RIP = Released in Part; WIF = Withheld in Full

² The FBI originally asserted Exemption (b)(7)(A) as well. It is no longer relying on that exemption.

These TPs were not for public discussions but rather intended to inform discussions within the United States Government.

**FBI SUPPLEMENTAL VAUGHN INDEX, PART 2:
ADDITIONAL DESCRIPTIONS OF PAGES/INFORMATION BASED ON EXEMPTION (b)(5)³**

BATES #	DATE	PARTICIPANTS ⁴	DESCRIPTION	RIP OR WIF
914	4/13/17	Peter Strzok; Carl Ghattas; E.W. (Bill) Priestap; non-executive employee; Jonathan Moffa	E-mail forwarding a newspaper article related to a matter under investigation (Russian interference in the 2016 Presidential election, including links between the Trump campaign and Russian government), representing the initiation of discussions about any follow up actions regarding the information reported in the article.	RIP
919	4/13/17			
The following records concern and document the drafting of, and discussions/deliberations about the content of, former Director Comey's statement before the House Permanent Select Committee on Intelligence ("HPSCI") on March 20, 2017, when he disclosed that the FBI was conducting an investigation into Russian interference in the 2016 election, to include the nature of any links between individuals associated with the Trump campaign and the Russian government and whether there was any coordination between the campaign and Russia's efforts.				
1123-1124	3/17/17	James Rybicki; Bill Priestap; Andrew McCabe; Garl Ghattas; James Baker; David Bowdich; Peter Strzok;	E-mail exchange between FBI executives and employees regarding a draft statement for former Director Comey's to make before his HPSCI testimony on March 20, 2017, and proposing/editing language for the same and also proposing responses to certain potential questions.	WIF

³ Some, but not all, of the information on the WIF pages is subject to other exemptions.

⁴ The identity of a non-executive employee was protected pursuant to Exemptions (b)(6) and (b)(7)(C) in various of the e-mail chains on the chart and therefore, the employee is not identified by name here.

The titles/positions of the referenced FBI executives were, at the time: Peter Strzok, Deputy Assistant Director, Counterintelligence Division; Carl Ghattas, Executive Assistant Director, National Security Branch; E.W. (Bill) Priestap, Assistant Director, Counterintelligence Division; Jonathan Moffa, Section Chief, Counterintelligence Division; James Rybicki, Chief of Staff; Andrew McCabe, Deputy Director; James Baker, General Counsel; David Bowdich, Associate Deputy Director; Trisha Anderson, Deputy General Counsel; Lisa Page, Assistant General Counsel; Michael Kortan, Assistant Director, Office of Public Affairs; Gregory Brower, Assistant Director, Office of Congressional Affairs.

		two non-executive employees; Trisha Anderson; Lisa Page; Michael Kortan; Gregory Brower	The e-mails in this chain were sent to FBI attorneys, including the General Counsel, a Deputy General counsel, and a line attorney, for the purpose of obtaining legal advice.	
1126-1127	3/18/17	Bill Priestap; Peter Strzok; Jonathan Moffa; non-executive employees	<p>E-mail exchange between FBI executives and employees regarding information pertinent to former Director Comey's statement before HPSCI on March 20, 2017, regarding President Trump's tweet alleging that President Obama "had [his] 'wires tapped' at Trump Tower." This e-mail represents the selection and compilation of particular information informing/impacting the former Director's statement and testimony, and was part of larger, on-going discussions about the statement/his testimony.</p> <p>The e-mail to which (b)(5) was applied was sent to a line attorney, for the purpose of obtaining legal advice.</p>	RIP
1128-1130	3/17/17 – 3/18/17	James Rybicki; Bill Priestap; Andrew McCabe; Carl Ghattas; James Baker; David Bowdich; Peter Strzok; Jonathan Moffa; Trisha Anderson; Lisa Page; Michael Kortan; Gregory Brower	<p>E-mail exchange between FBI executives and employees regarding a draft statement for former Director Comey's to make before his HPSCI testimony on March 20, 2017, and proposing/editing language for the same, and proposing/editing language for the same and also proposing responses to certain potential questions.</p> <p>The e-mails in this chain include messages sent to FBI attorneys, including the General Counsel and a Deputy General counsel, for the purpose of obtaining legal advice, as well as a response from one of the attorneys providing advice.</p>	WIF
1132-1133	Undated	n/a	A draft of the statement former Director Comey made at the beginning of his HPSCI testimony on March 20, 2017.	WIF

The following records concern and document the drafting of, and discussions/deliberations about the content of, Talking Points (“TPs”) about the then on-going but not publicly acknowledged investigation into Russian interference in the 2016 election. These TPs were being created for internal Government use, including non-public Congressional briefings, and not for public consumption or statements. (All of the TPs listed in the preceding chart are associated with these e-mails. As noted, those TPs contain classified and intelligence source and method information, and accordingly, could not be shared with the public.) Bates pages 1147 and 1149 are versions of the same e-mail exchange, and include individual messages that are duplicated in both chains. Bates pages 1156-1157, 1159-1160, 1162-1164, and 1166-1167 are versions of the same e-mail exchange and include individual messages that are duplicated in both chains.

1139-1140	3/5/17 – 3/6/17	Jonathan Moffa; Peter Strzok; Bill Priestap; Lisa Page; Andrew McCabe; Carl Ghattas; James Baker; Trisha Anderson; James Rybicki; non-executive employee	E-mail exchange between FBI executives and employees regarding draft Talking Points (TPs) about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, and discussing content of the TPs and related items of concern. The e-mails in this chain were sent to FBI attorneys, including the General Counsel, a Deputy General counsel, and a line attorney, for the purpose of obtaining legal advice.	WIF
1142-1143	3/6/17	Jonathan Moffa; Peter Strzok; Bill Priestap; Lisa Page; Andrew McCabe; Carl Ghattas; James Baker; Trisha Anderson; James Rybicki; non-executive employee; Tashina Gauhar (DOJ); Mary McCord (DOJ)	E-mail exchange between FBI executives/employees, and between FBI executives/employees and DOJ executives/employees regarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, and discussing/recommending/clarifying edits to the draft TPs. The e-mails in this chain were sent to FBI attorneys, including the General Counsel, a Deputy General counsel, and a line attorney, for the purpose of obtaining legal advice. An e-mail in the chain was also sent to attorneys at DOJ, for the purpose of obtaining legal advice.	WIF
1145	3/6/17	Bill Priestap; Peter Strzok	E-mail between FBI executives forwarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election.	WIF

1147	3/6/17	Bill Priestap; Andrew McCabe; Carl Ghattas; James Baker; James Rybicki; Lisa Page; Peter Strzok	<p>E-mail between FBI executives/employees forwarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, incorporating guidance/input from DOJ.</p> <p>The e-mail in this chain was sent to the FBI General Counsel for the purpose of obtaining legal advice.</p>	WIF
1149	3/6/17 – 3/7/17	Bill Priestap; Andrew McCabe; Carl Ghattas; James Baker; James Rybicki; Lisa Page; Peter Strzok	<p>E-mail between FBI executives/employees forwarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, incorporating guidance/input from DOJ.</p> <p>The e-mails in this chain were sent to the FBI General Counsel, for the purpose of obtaining legal advice.</p>	WIF
1151	3/7/17	Bill Priestap; Andrew McCabe; Carl Ghattas; James Baker; James Rybicki; Lisa Page; Peter Strzok; Trisha Anderson; Jonathan Moffa; non-executive employee	<p>E-mail between FBI executives/employees forwarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, incorporating guidance/input from DOJ.</p> <p>The e-mail in this chain was sent to FBI attorneys, including the General Counsel, a Deputy General counsel, and a line attorney, to reflect the provision of legal advice.</p>	WIF
1153-1154	3/7/17	David Bowdich; Bill Priestap; non-executive employee; Lisa Page; James Baker; James Rybicki; Carl Ghattas	<p>E-mail between FBI executives/employees forwarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, incorporating guidance/input from DOJ.</p> <p>An e-mail in this chain were sent to the FBI General Counsel, for the purpose of obtaining legal advice.</p>	WIF
1156-1157	3/7/17 – 3/8/17	James Rybicki; Bill Priestap; Andrew McCabe; David Bowdich; Carl Ghattas;	<p>E-mail exchange between FBI executives/employees, and between FBI executives/employees and DOJ executives/employees forwarding draft TPs about the then on-going (but not publicly acknowledged) investigation into</p>	WIF

		Peter Strzok; James Baker; Trisha Anderson; Lisa Page; Tashina Gauhar (DOJ); Mary McCord (DOJ); Stuart Evans (DOJ); George Toscas (DOJ); Scott Schools (DOJ)	<p>Russian interference in the 2016 Presidential election, with additional comments/input by DOJ.</p> <p>The e-mails in this chain were sent to FBI attorneys, including the General Counsel and a Deputy General counsel, for the purpose of obtaining legal advice. An e-mail in the chain was also sent from attorneys at DOJ after their advice/input was solicited.</p>	
1159-1160	3/7/17 – 3/8/17	James Rybicki; Bill Priestap; Andrew McCabe; David Bowdich; Carl Ghattas; Peter Strzok; James Baker; Trisha Anderson; Lisa Page; Tashina Gauhar (DOJ); Mary McCord (DOJ); Stuart Evans (DOJ); George Toscas (DOJ); Scott Schools (DOJ)	<p>E-mail exchange between FBI executives/employees, and between FBI executives/employees and DOJ executives/employees regarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, with additional comments/input by DOJ.</p> <p>The e-mails in this chain were sent to FBI attorneys, including the General Counsel and a Deputy General counsel, for the purpose of obtaining legal advice. An e-mail in the chain was also sent from attorneys at DOJ after their advice was solicited.</p>	WIF
1162-1164	3/7/17 – 3/8/17	James Rybicki; Bill Priestap; Andrew McCabe; David Bowdich; Carl Ghattas; Peter Strzok; James Baker; Trisha Anderson; Lisa Page; Tashina Gauhar (DOJ); Mary McCord (DOJ); Stuart Evans (DOJ); George Toscas (DOJ); Scott Schools (DOJ)	<p>E-mail exchange between FBI executives/employees, and between FBI executives/employees and DOJ executives/employees regarding draft TPs about the then on-going (but not publicly acknowledged) investigation into Russian interference in the 2016 Presidential election, and discussing edits to the draft TPs made based on input/comments from DOJ.</p> <p>The e-mails in this chain were sent to FBI attorneys, including the General Counsel and a Deputy General counsel, for the purpose of obtaining legal advice, and include advice provided in response. An e-mail in the chain was also sent from attorneys at DOJ after their advice/input was solicited.</p>	WIF

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